

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

KIM STAVRUM,

No. 3:21-cv-01761-SB

Plaintiff,

v.

NW PRECISION CONSTRUCTION LLC,

OPINION AND ORDER

Defendant.

MOSMAN, J.,

On March 6, 2023, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (“F&R”) [ECF 37] recommending that I grant in part and deny in part Plaintiff’s Motion for Attorney’s Fees and Costs [ECF 32]. No objections were filed. Upon review, I agree with Judge Beckerman. I GRANT IN PART and DENY IN PART the Motion for Attorney’s Fees and Costs.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See*


Thomas v. Arn, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review, I agree with Judge Beckerman's recommendation, and I ADOPT the F&R [ECF 37] as my own opinion. The Motion for Attorney's Fees and Costs [ECF 32] is GRANTED IN PART and DENIED IN PART. Plaintiff is awarded \$6,200.33 in attorney's fees and \$477.03 in costs.

IT IS SO ORDERED.

DATED this 3rd day of April, 2023.


MICHAEL W. MOSMAN
Senior United States District Judge